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Voluntary - Public

Date: 9/4/2009

GAIN Report Number: IN9116

India

Post: New Delhi

PFA Rule Amendment Related to Dairy Products

Report Categories:

FAIRS Subject Report

Approved By:

Holly Higgins

Prepared By:

Deepa Dhankhar

Report Highlights:

On August 28, 2009, the Ministry of Health and Family Welfare, Government of India (GOI) issued an official Gazette notification (Corrigendum) under the Prevention of Food Adulteration Act (PFA), pertaining to standards for dairy products. The standards mainly pertain to labeling, use of food additives, and microbiological parameters for various dairy products. The Ministry has once again deferred the implementation of this regulation for a period of nine months (or longer in some cases). The notification has not yet been notified to the WTO.

General Information:

Introduction: This report summarizes the corrigendum to the Prevention of Food Adulteration Rules framed under the Prevention of Food Adulteration Act (PFA), 1954, regarding standards for dairy products. The Ministry has once again deferred the implementation of this regulation for a period of nine months (or longer in some cases).

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests.

Type of Regulation: Final

Details on the final Gazette notification No. G.S.R. 606(E), dated August 28, 2009:

- **Publication Date:** August 28, 2009
- **Date of Implementation:** August 28, 2009 (for specific details see the notification text)
- **WTO Notification Date:** The regulation has not been notified to the WTO (as of September 2, 2009).
- **Products Affected:** Cheese, ice cream, milk powder, sweetened condensed milk, butter, butter oil, yogurt, whey powder, and other dairy products.

Agency in Charge: Department of Health, Ministry of Health and Family Welfare, Government of India

Major Changes: NOTIFICATION (Text as published is attached)

The corrigendum refers to the Prevention of Food Adulteration (Fourth Amendment) Rules 2005 framed under the Prevention of Food Adulteration Act (PFA), 1954, regarding standards for dairy products. The standards mainly pertain to labeling, use of food additives (stabilizers, anticaking agents, antioxidants, modified starches, colors, acidity regulators, preservatives etc.), and microbiological parameters for various milk products.

The complete text of the original notification (G.S.R. No. 356(E), dated June 7, 2005) can be accessed at: <http://www.mohfw.nic.in/GSR356.pdf> . Please also see [IN8145](#), [IN9031](#) and [IN9073](#) for additional details and background on related notifications.

The full text version of the PFA Act and Rules can be accessed from:
<http://mohfw.nic.in/pfa%20acts%20and%20rules.pdf>

These websites are mentioned for readers' convenience; USDA does **NOT** in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in the above sites.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 478]

नई दिल्ली, शुक्रवार, अगस्त 28, 2009/भाद्र 6, 1931

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NEW DELHI, FRIDAY, AUGUST 28, 2009/BHADRA 6, 1931

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

शुद्धि-पत्र

नई दिल्ली, 28 अगस्त, 2009

सा.का.नि. 606(अ)—भारत के राजपत्र, असाधारण के भाग II, खण्ड 3, उप-खण्ड (i) में पृष्ठ संख्या 1-77 पर प्रकाशित भारत सरकार, स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) की अधिसूचना संख्या सा.का.नि. 356(अ), दिनांक 7-6-2005 [खाद्य अपविष्रण निवारण (चौथा संशोधन) नियमावली, 2005] और भारत के राजपत्र, असाधारण के भाग II, खण्ड 3, उप-खण्ड (i) में प्रकाशित शुद्धि-पत्र संख्या सा.का.नि. 706(अ), दिनांक 6-12-2005, सा.का.नि. 131(अ), दिनांक 3-3-2006, सा.का.नि. 532(अ), दिनांक 5-9-2006, सा.का.नि. 575(अ), दिनांक 5-9-2007, सा.का.नि. 591(अ), दिनांक 13-8-2008 सा.का.नि. 805(अ), दिनांक 20-11-2008, सा.का.नि. 117(अ), दिनांक 24-2-2009 और सा.का.नि. 329(अ), दिनांक 15-5-2009 के साथ पठनीय, पृष्ठ 2 पर, नियम 1 के उप-नियम (2) को निम्न प्रकार से पढ़ा जायेगा,—

“(2) ये नियम राजपत्र में प्रकाशन की तारीख से नौ माह की अवधि के पश्चात् प्रवृत्त होंगे सिवाय नियम 2 के उप-नियम (ii) के खण्ड (क), खण्ड (च) के मद संख्या क. 11.02.06, क. 11.02.06.01, क. 11.02.06.02, खण्ड (छ) के मद संख्या क. 11.02.07, क. 11.02.07.01, क. 11.02.07.02, क. 11.02.08 और खण्ड (ङ) तथा परिशिष्ट ‘ग’ की सारणी-14 और परिशिष्ट ‘घ’ की सारणी-3 में उनसे संबंधित प्रविष्टियाँ, जो चार वर्ष और नौ माह की अवधि के पश्चात् प्रवृत्त होंगे।”

[सं. पी. 15014/7/2002-जन स्वास्थ्य (खाद्य) अनुभाग]

देवाशीष पण्डा, संयुक्त सचिव

टिप्पण : खाद्य अपविष्रण निवारण नियम, 1955 भारत के राजपत्र, भाग II, खण्ड 3 में संख्या सा.का.नि. 2106, दिनांक 12 सितम्बर, 1955 द्वारा प्रकाशित किए गए थे और सा.का.नि. 431(अ), दिनांक 19 जून, 2009 द्वारा उनका अंतिम संशोधन किया गया था।

3122 GU/2009

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

CORRIGENDUM

New Delhi, the 28th August, 2009

G.S.R. 606(E).—In the Notification of Government of India, Ministry of Health and Family Welfare (Department of Health) No. G.S.R. 356(E), dated the 7th June, 2005, [Prevention of Food Adulteration (Fourth Amendment) Rules, 2005] published in Part II, Section 3, Sub-section (i) at pages 1-77 of the Gazette of India, Extraordinary and read with Corrigendum G.S.R. 706(E), dated 6th December, 2005, G.S.R. 131(E), dated 3rd March, 2006, G.S.R. 532(E) dated 5th September, 2006, G.S.R. 575(E), dated 5th September, 2007, G.S.R. 591(E), dated 13th August, 2008, G.S.R. 805(E), dated 20th November, 2008, G.S.R. 117(E), dated 24th February, 2009 and G.S.R. 329(E), dated 15th May, 2009 published in Part II, Section 3, Sub-section (i) of the Gazette of India Extraordinary, at page 44, sub-rule (2) of rule 1, shall read as follow,—

“(2) They shall come into force after nine months except clause (a), item No. A.11.02.06, A.11.02.06.01, A.11.02.06.02 of clause (f), items No. A.11.02.07, A.11.02.07.01, A.11.02.07.02, A.11.02.08 of clause (g) and clause (m) of sub-rule (ii) of rule 2 and entries relating thereto in Table 14 of Appendix-C and Table 3 of Appendix-D, which shall come into force after four years and nine months from the date of their publication in the Official Gazette.”

[No. P. 15014/7/2002-P.H. (Food)]

DEBASISH PANDA, Jr. Secy.

Note:—The Prevention of Food Adulteration Rules, 1955 were published in Part II, Section 3 of the Gazette of India vide S.O. 2106 dated the 12th September, 1955 and were last amended vide G.S.R. 431(E) dated 19th June, 2009.